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Box  
Sequence  
1813

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:  
Examiner:  
Inventor: Hunein F. Maassab et al.  
Serial No.: 08/082,846  
Filed: June 30, 1993  
For: COLD-ADAPTED INFLUENZA VIRUS

TRANSMITTAL OF  
SEQUENCE DATA

Capub, A  
✓ EXMR

RECEIVED

DEC 03 1993

GROUP 1800

**CERTIFICATE OF MAILING**

*I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 22, 1993.*

By

*DeAnn F. Smith*

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to the Notice mailed October 25, 1993, enclosed is a Preliminary Amendment with Sequence Listing in computer readable form (diskette) and a paper copy thereof, a Statement in Support of Submission of Sequence Data and a copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Should any extension of time be required to respond, please consider this a request for such extension and please charge our Deposit Account No. 08-0750 for any fees which may be due. A copy of this sheet is enclosed.

Respectfully submitted,

HARNESS, DICKEY & PIERCE  
Attorney for Applicant

*DeAnn F. Smith*  
DeAnn F. Smith  
Reg. No. 36683

P.O. Box 828  
Bloomfield Hills, MI 48303  
(313) 641-1600  
DFS/DAV/peb  
Date: 11/22/93  
Attorney Docket No.: 2115-00257



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Art Unit:

Examiner:

Inventor: Hunein F. Maassab et al.

Serial No.: 08/082,846

Filed: June 30, 1993

For: COLD-ADAPTED INFLUENZA VIRUS

PRELIMINARY  
AMENDMENT

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By DeAnn F. Smith

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

RECEIVED

DEC 03 1993

GROUP 1800

Sir:

Please amend the application as follows:

Replace Sequence Listing pages 52-177 in the specification with Sequence Listing pages 52-174 submitted herewith and sequentially renumber the pages containing the Claims and Abstract accordingly.

The Sequence Listing submitted herewith contains no new matter, but merely places the sequences in the appropriate format in response to the Notice to Comply.

Respectfully submitted,

HARNESS, DICKEY & PIERCE  
Attorney for Applicant

DeAnn F. Smith  
DeAnn F. Smith  
Reg. No. 36683

P.O. Box 828  
Bloomfield Hills, MI 48303  
(313) 641-1600  
DFS/DAV/peb  
Date: 11/22/93  
Attorney Docket No.: 2115-00257



**PATENT**

Art Unit:

Examiner:

Inventor: Hunein F. Maassab et al.

Serial No.: 08/082,846

Filed: June 30, 1993

For: COLD-ADAPTED INFLUENZA VIRUS

**STATEMENT IN SUPPORT  
OF SUBMISSION OF  
SEQUENCE DATA**

**CERTIFICATE OF MAILING**

*I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 22, 1993.*

By DeAnn F. Smith

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

I, DeAnn F. Smith, am an attorney with the firm of Harness, Dickey and Pierce, counsel for Applicants in the above-entitled application and am registered to practice before the United States Patent and Trademark Office.

I hereby state that the content of the paper copy of the Sequence Listing set forth in the Specification, submitted herewith, is the same as the computer readable form (diskette).

Respectfully submitted,

HARNESS, DICKEY & PIERCE  
Attorney for Applicant

DeAnn F. Smith

DeAnn F. Smith  
Reg. No. 36683

P.O. Box 828  
Bloomfield Hills, MI 48303  
(313) 641-1600

DFS/DAV/pab  
Date: 1/22/93  
Attorney Docket No.: 2115-00257



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER 0381/1025	FILING DATE 05/20/93	FIRST NAMED APPLICANT HARNESSEY	ATTY. DOCKET NO./TITLE H
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HARNESSEY, DICKAY & PIERCE  
PO BOX 828  
BLOOMFIELD HILLS, MI 48303

0381/1025

0000

DATE MAILED:

10/25/93

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$\_\_\_\_\_ for large entities or \$\_\_\_\_\_ for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☐ large entity, ☐ small entity (verified statement filed), is \$\_\_\_\_\_

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit \$\_\_\_\_\_ to complete the basic filing fee.
2. ☐ Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. ☐ The oath or declaration:  
☐ is missing.  
☐ does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. ☐ The signature to the oath or declaration is: ☐ missing; ☐ a reproduction; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:  
\_\_\_\_\_. An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$\_\_\_\_\_ under 37 CFR 1.17(k), unless this fee has already been paid.
8. ☐ A \$\_\_\_\_\_ processing fee is required for returned checks. (37 CFR 1.21(m)).
9. ☐ Your filing receipt was mailed in error because check was returned without payment.
10. ☒ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

Other, \_\_\_\_\_

Direct the response and any questions about this notice to  
Division, Special Processing and Correspondence Branch (703) 308-1202.

Application Processing

**A copy of this notice MUST be returned with the response**

Application No. 082 846  
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.